MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

FEBRUARY 5, 2013

INVOCATION:
Greg Burtnett of Grace Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zuniga led the Pledge of Allegiance.

CALL TO ORDER

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Orach, Zuniga, Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, City Librarian Housel, Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Director of Administrative Services Visé, Director of Public Works/City Engineer Whitehead, Police Commander Greene, Deputy City Manager Barnhard, Deputy City Manager Lara, Utilities Engineer Kahn, Business Services Manager Long, and Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/PRESENTATIONS:

A. PROCLAMATION – FIRE DEPARTMENT'S CENTENNIAL.
Mayor Patino announced that the Fire Department's Centennial item was incorrectly agendized as a presentation of a resolution. It was presented in the form of a proclamation.

Councilmember Orach read a proclamation commemorating and celebrating the Fire Department's Centennial in the City of Santa Maria and encouraging all community members to join the year-long celebration. The proclamation was accepted by Retired Division Chief Joe Johnson, Retired Battalion Chief Charlie Wheeler, Firefighter Kristen Halbeisen, and Firefighter James Bettencourt.

B. PROCLAMATION – ROTARY CLUB OF SANTA MARIA.
Mayor Patino read a proclamation commending The Rotary Club of Santa Maria for 90 Years of Community Service in the City of Santa Maria and encouraging all residents to recognize and commend The Santa Maria Rotary Club for their positive contributions to the City and congratulating them on their 90th anniversary. The proclamation was accepted by Frank Culley, President of the Rotary Club of Santa Maria.

2. PUBLIC COMMENT
Bruce Corsaw, representing SEIU Local 620, spoke about employee concessions. The lowest paid employees were being asked to give the highest concessions. They were offering 3.2 percent but administration was asking for even more, even though 2.7 percent had been accepted from public safety employees. The main difference was that the members were seeking 75 percent pick-up in medical premiums because a majority of their members utilize the medical benefits. He indicated that the safety crews were asking for 50 percent pick-up of medical and only about 50 percent of their members utilized that benefit. No statement was given on what management will receive. This was the first time that SEIU had been unable to reach an agreement with negotiators. He asked that staff be directed to accept what had been offered at 3.2 percent concessions.

Richard Mitchell thanked Mayor Patino for being a good representative to the community. He also spoke about Councilmember Orach and his years of service on the Council. He commented about public safety and his wish to see more officers writing tickets for traffic violations.

Darryl Scheck, representing SEIU Local 620, spoke about the bargaining proceedings with management negotiators and had offered 3.2 percent in concessions. The stock market was back to 2008 levels, but the wages of our members were not. SEIU continued to fall behind and the healthcare costs were increasing. SEIU members are about half the City's workforce, but only about a quarter of the overall budget for its workforce. These members were among the lowest paid employees in the City, and to be treated equitably and fairly was all they were asking.

Herbert Soares, representing SEIU Local 620, spoke about how during the tough times, the miscellaneous employees are always willing to take cuts to save jobs and keep the City running. He asked why SEIU members continue to carry the majority of the concessions and continue to fall further and further behind.

Daniel Vegezzi, representing SEIU Local 620, spoke about fairness. He asked if we are all family as the Council has previously indicated, why were they being treated differently. They have been requested by administration to make larger concessions than any other group. SEIU should be treated the same as the public safety groups.

Ernest Armenta spoke about Councilmember's going along with the policy of accepting the next highest vote getter in some situations and changing their decision in other situations. He is pleased to see SEIU coming forward to fight for what was right. Let the public know and the same people will not be voted in.

David Gomez spoke about SEIU and said that he is honored to be an employee in this City. He indicated that employees need to remember that they are public servants.

3. CONSENT CALENDAR
Councilmember Boysen indicated that he had a conflict and would be abstaining from voting on Item 3C, Payment of Warrants.

Councilmember Orach and Mayor Patino asked to comment on Item 3E.

Item 3E –Award of Bid for Union Valley Parkway Extension
Director of Public Works/City Engineer Whitehead provided an update to indicate that the funding may be changing and local agencies may be asked to provide additional funding in the Construction Cooperation Agreement with the County. He recommended that the item be continued to the February 19, 2013, meeting.

Item 3E – Award of Bid for Union Valley Parkway Extension State Route 135 to Hummel Drive, Bid No. 2012/02 was continued to the next regular meeting of the City Council of February 19, 2013, on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Items 3A through 3I (except 3E and 3C) were approved on motion by Councilmember Boysen, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3C was approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote:

AYES: Councilmembers Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES.
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES.
The Minutes of the Regular City Council Meeting of January 15, 2013, were approved as submitted.

C. WARRANTS.
Warrant Nos. 177311 to 177794 totaling $4,966,089.68 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 177076, 177232, 170462, 170526, 170690,172741, 173215, 173289, 173306, and 177261 were cancelled.

D. PAYROLL.
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. AWARD OF BID.
The City Council continued this item to the meeting of February 19, 2013, for consideration of adopting a Resolution No. 2013-07 awarding the bid and approving an agreement with CalPortland Construction, for Union Valley Parkway Extension State Route 135 to Hummel Drive, Bid No. 2012/02, in the amount of $2,968,146.33.

Resolution No. 2013-07 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH CALPORTLAND CONSTRUCTION, FOR BID NO. 2012/02, UNION VALLEY PARKWAY EXTENSION STATE ROUTE 135 TO HUMMEL DRIVE.

F. SUMMARY VACATION OF EASEMENT.
The City Council adopted a resolution permitting a summary vacation of a public street and utility easement and a storm drain easement pursuant to the Streets and Highway Code, Part 3, Chapter 4, §8333 (c).

Resolution No. 2013-08 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SUMMARY VACATING JILL STREET AND A STORM DRAIN EASEMENT PURSUANT TO THE STREETS AND HIGHWAY CODE, PART 3, CHAPTER 4, §8333 (C).

G. NOTICE OF CONTRACT COMPLETION.
The City Council approved a Notice of Contract Completion for Santa Maria Public Library Orcutt Branch, Bid No. 2012/09, and directed the Chief Deputy City Clerk to record the same.

H. REVISED SPENDING PLAN FOR STATE PROPOSITION 1B INFRASTRUCTURE BOND FUNDS.
The City Council adopted a resolution approving a revised spending plan for the City of Santa Maria's State Proposition 1B Infrastructure Bond Funds – Local Streets and Roads (LSR).

Resolution No. 2013-09 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A REVISED PROPOSITION 1B LOCAL STREETS AND ROADS FUNDING PROPOSAL.

I. ALERTING AND NOTIFICATION SYSTEM.
The City Council adopted a resolution approving and authorizing the Director of Utilities, or his designee, to enter into a Professional Services Agreement with Blackboard Connect, Inc., for the Community Alerting and Notification System for the City of Santa Maria and authorizing the Director of Utilities, or his designee, to enter into extensions and modifications consistent with the terms of the Agreement.

Resolution No. 2013-10 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING AND DIRECTING THE DIRECTOR OF UTILITIES TO EXECUTE AN AGREEMENT WITH BLACKBOARD CONNECT INCORPORATED FOR A COMMUNITY ALERTING AND NOTIFICATION SYSTEM.

4. COUNCIL DISCUSSION REGARDING FILLING OF THE VACANT CITY COUNCIL SEAT.
City Manager Haydon gave a presentation as detailed in the written Council Agenda Report. He explained that on December 18, 2012, and January 15, 2013, options were presented for Council action: 1) call for a Special Election; 2) call for a Special Election and make an appointment on a temporary basis until an election can be held; 3) make an immediate appointment; or 4) take applications from individuals interested in being appointed to the City Council. The City Council ruled out the option of calling for a special election at the two previous Council meetings. They also failed to secure the necessary majority votes needed to appoint someone to the City Council. Therefore, since the only viable option not yet explored is to accept applications, staff recommended that council consider directing staff to immediately advertise the vacancy on the City Council and to accept applications from interested individuals through Tuesday, February 12, 2013, by 5:00 p.m. As part of the application process, applicants would be asked to provide a written statement of less than 400 words stating what their qualifications are to serve on the City Council; what are their reasons for wanting to be appointed to the City Council; what prior experience in government or areas associated with or doing business with government; past and current involvement in community affairs and organizations, especially in the preceding two-year period; and if appointed, what conflicts of interest would they possibly have on matters being brought before the City Council. The applications would be available for review by the City Council in the agenda packets on February 14th, and made available to the public on February 15th. At the February 19th City Council Meeting, applicants would be given the opportunity to make a five minute presentation in order by random drawing made prior to the City Council Meeting. Council would then have the opportunity to consider the applicants and should they garner a majority vote, the applicant would be sworn in and take their seat on the dais.

Councilmember Boysen asked if the Council would be restricted to questions provided in the agenda report or could the Council ask other questions of the applicants. He also asked about the screening process.

City Manager Haydon responded that he had checked with other cities. They indicated that the Council had a roll in asking questions of the applicants. However, for transparency reasons, the questions will be made available ahead of time to all of the applicants. City Manager Haydon recommended that each Councilmember submit two questions to the Chief Deputy City Clerk prior to the February 12th deadline. He further discussed the application process, and the screening and deliberation process.

Councilmember Zuniga asked for clarification if the Council would have the opportunity to interview the candidates outside the Council meeting.

City Attorney Trujillo indicated that there was no set legal requirement on the process and the Council had some discretion on how the appointment process would work. Staff recommended that whatever process the Council decided on that it be consistent and equal.

Councilmember Orach indicated that transparency has been a relevant issue following the election, as well as over the past month. He would be concerned if interviews were conducted outside the chambers.

Public Comment
Bob Cullati commented that the process being proposed was ridiculous and that what would be required of the Council and staff was a waste of taxpayer dollars. The third highest vote-getter should be appointed.

Richard Mitchell commented on Councilmember Boysen's interview on KUHL. He was infuriated that two votes separate the two seats, and the Council could not come to a decision to appoint the third highest vote-getter.

Ernest Armenta commented that a special election should be called. If applications were accepted, the Council could be deadlocked again.

Joe Komenda spoke about the application process during the nomination period. He indicated what better application did the Council have then from the nomination process during the election.

Nancy Stewart spoke about respect in the Chamber and not applauding while people were being introduced. She also commented that the Council was voted in and they were there to represent the people. She asked that the Council set aside their differences, and make a decision for the betterment of the City.

Written Communications
Chief Deputy City Clerk Garietz announced that a written communication was received from Gloria Carson expressing concerns about the cost of conducting a special election, and recommended appointment.

Council Discussion
Councilmember Boysen expressed that the application process be pursued and he would like the Council to have input in the questions presented to the applicants.

City Manager Haydon asked for direction as to whether one or two questions be presented by each Councilmember, and that they should be given to each of the candidates in advance. He indicated that it was his recommendation to go through the application process. City Manager Haydon also recommended that the Council not engage interviews outside the chambers.

Councilmember Boysen indicated that he was not able to find any other city that made an appointment without an application.

Councilmember Orach commented that holding a special election was not an appropriate action for the Council to take.

Councilmember Orach motioned to immediately fill the vacant Council seat with the third highest vote-getter, Etta Waterfield, seconded by Mayor Patino, and failed to pass on the following vote:

AYES: Councilmembers Orach and Mayor Patino
NOES: Councilmembers Boysen and Zuniga
ABSENT: None
ABSTAIN: None

Councilmember Boysen motioned to immediately advertise the vacancy and accept applications from interested persons to be interviewed and appointed on February 19, 2013, to fill the unexpired two-year term of office on the City Council, seconded by Councilmember Zuniga.

During Council discussion, Councilmember Orach inquired about transparency and the interview process. City Manager Haydon asked that the motion include two clarifications: 1) the number of questions Council should submit to staff to ask the candidates and 2) that Council not engage in interviewing anyone outside the Council proceedings and to wait until open session to interview candidates.

Councilmember Boysen suggested two questions to be submitted from each Councilmember.

After Council discussion, the motion carried on the following vote:

AYES: Councilmembers Boysen, Orach, Zuniga, and
NOES: Mayor Patino
ABSENT: None
ABSTAIN: None

Mayor Patino called for a short recess at 7:45 pm. The meeting resumed with all Councilmembers present at 7:50 p.m.

5. A MEMORANDUM OF UNDERSTANDING (MOU) WITH SANTA MARIA POLICE ASSOCIATION OF MIDDLE MANAGEMENT (SMPAMM), AND AN AMENDMENT TO AND AN EXTENSION OF THE CURRENT MOU WITH THE SANTA MARIA POLICE OFFICERS' ASSOCIATION (SMPOA).

Deputy City Manager Lara gave a presentation as detailed in the written Council Agenda Report. In the last four years, while some City revenue sources were starting to finally improve; overall, revenues were still down from 2007-08 levels and the City's operational expenses were still exceeding operational revenues in the General Fund. The City was still in a concession bargaining position with the intent of providing a slight relief in the amount of current concessions, while balancing this relief in light of escalating health insurance costs. In August 2012, the (then) Interim Chief of Police recommended that the classification of Police Sergeant and Police Lieutenant be placed in a separate bargaining unit from their subordinate staff, due to the conflict created by representation in the same unit. In October 2012, after several meetings with all parties involved, the City bifurcated the Police Sergeants and Police Lieutenants from the Santa Maria Police Officers' Association (SMPOA). As a result, the Police Sergeants and Lieutenants formed the Santa Maria Police Association of Middle Management (SMPAMM). Since the SMPAMM is a new unit, an entire MOU is required to be ratified for 2013. The basis used to create the MOU for SMPAMM, was the SMPOA MOU which was the contract under which they were previously represented. The MOU includes provisions from the 2012 MOU between the City and the SMPOA with some modifications relative to SMPAMM, and is set to expire on December 27, 2013, as well as a contract extension with the SMPOA.

The contract extension and wage and benefit packages call for compensation concessions in the two and one-half (2.5%) to three and one-half (3.5%) percent range, including an increase in the City's contribution toward health insurance for the aforementioned groups of employees. These contracts represent a total estimated annual savings to the General Fund of approximately $245,500.

Public Comment
Ernest Armenta asked if SMPAMM members were at-will and recommended that staff go back to bargaining in fairness. He indicated that some language should be included in the contracts with the bargaining groups to hold their members accountable if they file lawsuits. The bargaining group would be responsible for half of litigation costs.

Councilmember Discussion
Councilmember Boysen commended the middle management and the SMPOA to be the first to step-up and approve the MOUs. He stated that it was a step in the right direction.

Mayor Patino also thanked the SMPOA and SMPAMM for stepping forward and agreeing to a contract.

Resolution No. 2013-11 was adopted approving a tentative agreement on a Memorandum of Understanding (MOU) with the Santa Maria Police Officers' Association of Middle Management

(SMPAMM) on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, and Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2013-11 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A TENTATIVE AGREEMENT ON A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SANTA MARIA POLICE OFFICERS' ASSOCIATION OF MIDDLE MANAGEMENT (SMPAMM).

Resolution No. 2013-12 was adopted approving a tentative agreement on a Memorandum of Understanding (MOU) with the Santa Maria Police Officers' Association (SMPOA) on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, and Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2013-12 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A TENTATIVE AGREEMENT ON A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE SANTA MARIA POLICE OFFICERS' ASSOCIATION (SMPOA).

6. GENERAL PLAN AMENDMENT AND ZONE CHANGE REQUEST FOR CENTENNIAL SQUARE, FILE NOS. GPZ-2012-0002, PD-2012-0003, E-2012-0022, LOCATED AT THE SOUTHWEST CORNER OF MILLER STREET AND PLAZA DRIVE, ASSESSOR'S PARCEL NUMBER 128-066-003 (6.35 Acres). The City Council was asked to consider a recommendation from the Planning Commission to authorize the filing of a Mitigated Negative Declaration of Environmental Impact and a mitigation monitoring program for the Centennial Square Project; adopt a resolution amending the General Plan (Land Use Policy Map) Amendment FROM 1.26 acres of CPO (Commercial Professional Office) and 5.09 acres of HDR-16 (High Density Residential – maximum of 16 dwelling units per acre) TO 6.35 acres of HDR-22 (High Density Residential – maximum of 22 dwelling units per acre); and introduce an ordinance rezoning FROM 1.26 acres of PD/CPO (Planned Development/Commercial Professional Office) TO 1.26 acres of PD/R-3 Planned Development/High Density Residential), including the existing 5.09 acres of PD/R-3 zoned land, the total acreage for the site will accrue to 6.35 acres of PD/R-3.

Director of Community Development Appel gave a presentation as detailed in the written Council Agenda Report. On December 5, 2012, the Planning Commission adopted Resolution Nos. 2612 and 2613 by 3-2 vote (Commissioner Lopez and Chairman Brown both voting No) making recommendations to the City Council to file a Mitigated Negative Declaration for Centennial Square General Plan (Land Use Amendment and Rezone) located at the southwest corner of Miller Street and Plaza Drive, and to approve a General Plan (Land Use) Amendment and Zone Change. On January 15, 2013, the City Council continued the noticed Public Hearing to February 5, 2013, at the request of the applicant. The proposed project (PD-2012-0003) would allow construction of a 138 unit market-rate residential apartment complex located within seven buildings. Each apartment building would be three stories. The project would also include a single story on-site recreation building, children's play equipment, pool and landscaping. Access to the proposed apartment complex would be from one driveway located on Plaza Drive. A crash-gate access point for emergency vehicles only would be located off Miller Street.

Applicant Presentation
Brian Schwartz, Urban Planning Concepts, addressed the City Council and provided an overview of the project and described some of its features.

Ex Parte Communications
Mayor Patino asked if Councilmembers have had ex parte communications with any individuals associated with the project.

Councilmember Orach indicated that he had spoken with Brian Schwartz.

Councilmember Boysen indicated that he has had extensive conversations with Brian Schwartz, David Swenk, and Russ Garrison at Urban Planning Concepts, and discussion with the school district.

Mayor Patino indicated that she has spoken with Brian Schwartz.

Written Communications
Chief Deputy City Clerk Garietz announced that a written communication was received from Joan Leon, representing the Santa Maria Community Coalition, expressing concerns about the impacts on schools from the residential development in the Centennial Square project. Written communications were also received from Tony Guy, Vice President and General Manager of C&D Zodiac, and from Robert Hatch, President and CEO of the Santa Maria Valley Chamber of Commerce, who each expressed support of the project indicating that the project will provide quality housing for employees, attract new businesses, and assist the local community.

Public Hearing
Mayor Patino opened the Public Hearing at 8:15 p.m.

Ernest Armenta spoke in favor of the project and indicated that it was an excellent location for such a project. He expressed concerns about the left-hand turn lane median going north on Miller Street. He indicated that it should be a requirement of the project to include the proper turning lane, and that the median should be extended to Barcellus Avenue.

Mike Grogan, representing Santa Maria-Bonita School District, spoke in opposition to the project and discussed the impacts the new housing would have on the schools within the school district, and the lack of play areas for the children. The School District would need the City's assistance in looking for a new school site because of the impacts of overcrowding in the schools and the density of the residential projects.

Councilmember Boysen asked what would make the School District happy with the project.

Mr. Grogan responded the School District would be more amenable if the project included an ACES-type enrichment and afterschool program. The School District has to look at the entire picture and not on a single-project basis to review the long term effects of all of the proposed projects coming forward.

Councilmember Boysen asked if the Council was being asked to approve a project or a General Plan rezone.

Director of Community Development Appel responded that the project before the Council was a suggested project by the applicant. Council was being asked to take action on the General Plan amendment and the rezone. If Council approves it, and after second reading of the Ordinance, the project will be presented again to the Planning Commission to complete the Planned Development process. If there is an agreement between the applicant and the School District, and the applicant wishes to revise their project description, staff could include that in the plan check phase of the project. If the Council feels strongly about and want it included as part of the project, the Council should give staff direction to take back to the Planning Commission.

Councilmember Orach asked Mr. Grogan about a separate facility versus facilities such as a pool or club house that would not be used as a School District activity on a daily basis. He asked where the School District had off-site facilities it was currently using for enrichment programs. Councilmember Orach asked if the facilities would be open to the general public or the children residing in the development.

Mr. Grogan responded that facilities were located at Evans Park and Los Adobes de Maria. He indicated that the facilities would be used every day afterschool and was a way to mitigate the other negative impacts that the increased density does. He indicated that the facilities would be used by the children in the development.

Mayor Patino asked if meetings were conducted with the School District to discuss these issues.

City Manager Haydon indicated that meetings were conducted within the past few weeks, but the issue was funding.

Mr. Grogan indicated that if the City were to locate a site, the School District would find a way to pay to build it.

Brian Schwartz commented this was a citywide issue that affected the City and staff, zoning, future land use acquisition, and the School District. He stated that Mr. Grogan has expressed concerns about every development brought before the Council. The applicant has gone above and beyond the call of duty in agreeing to the type of mitigation in accepting large specific plans to provide separate facilities for their development.

Mayor Patino closed the Public Hearing at 8:55 p.m.

Councilmember Discussion
Councilmember Boysen asked if the developer was proposing to provide a facility for an ACES-type program that would be specific for the children in the development.

Brian Schwartz confirmed that a facility was to be provided.

Councilmember Zuniga commented that it was hard for her to just look at this project, because she considers the community as a whole. She expressed concerns about traffic on Stowell. The City wants a community that will draw employers and make it a place people will want to come to. People look at the ratings of schools when they are looking for a place and what is the quality of life of the residents of the people who live there. The Council has a responsibility to look at the totality of the project. She indicated that she did not think she could support the project if a facility for the ACES program was not included in the project for the School District.

Councilmember Orach commented that the project has changed to exclude the mix-used element from the project which provided unsuccessful in the City. He indicated that he understands the School District's position, but the City was growing. The project was an in-fill project. He did not think holding up the progress on this project would be a positive thing for the City.

Councilmember Boysen commented that he supported the in-fill project and it would be beneficial for the City. He indicated that he supported converted the zoning to high density residential. Where he has a problem was where the project increases from 16 units per acre to 22 units per acre. He asked for the incremental amounts for police and fire for the additional 38 units.

City Manager Haydon responded that the incremental increase to have 22 dwelling units per acre would increase the cost to the City by approximately $6,500 annually. No residential project pays for itself.

Mayor Patino commented that she liked the in-fill project. It appeared to be a safe place for kids to play. She commented that there would be an onsite manager. It was important to consider the economic impacts the project would provide for job creation. She will support the project. She indicated that if the enrichment program was included would be great for the project.

Director of Community Development Appel discussed legislative action the Council was taking this evening which cannot be conditioned. He stated that Council could provide direction to staff to carry back to the Planning Commission following the motion.

Resolution No. 2013-13 was adopted approving the filing of a Mitigated Negative Declaration of Environmental Impact, E-2012-0022, and adopt a mitigation monitoring program for the Centennial Square Project on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, and Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2013-13 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A MITIGATED NEGATIVE DECLARATION, E-2012-0022 FOR THE CENTENNIAL SQUARE GENERAL PLAN AMENDMENT (LAND USE) AND ZONE CHANGE, GPZ-2012-0002 AND PLANNED DEVELOPMENT PERMIT, PD-2012-0003, LOCATED AT THE SOUTHWEST CORNER OF PLAZA DRIVE AND MILLER STREET, ASSESSOR'S PARCEL NUMBER 128-066-003.

Resolution No. 2013-14 was adopted approving a General Plan (Land Use) Amendment for the Centennial Square Project **FROM** 1.26 acres of CPO (Commercial Professional Office) and 5.09 acres of HDR-16 (High Density Residential – maximum of 16 dwelling units per acre) **TO** 6.35 acres of HDR-22 (High Density Residential – maximum of 22 dwelling units per acre) on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, and Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2013-14 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN (LAND USE) AMENDMENT FOR

THE CENTENNIAL SQUARE PROJECT, SOUTHWEST CORNER OF PLAZA DRIVE AND MILLER STREET, ASSESSOR'S PARCEL NUMBER 128-066-003, 6.35 ACRES (FILE NO. GPZ-2012-0002).

Ordinance No. 2013-01 rezoning property for the Centennial Square Project **FROM** 1.26 acres of PD/CPO (Planned Development/Commercial Professional Office) **TO** 1.26 acres of PD/R-3 (Planned Development/High Density Residential), including the existing 5.09 acres of PD/R-3 (Planned Development/High Density Residential) zoned land was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Orach, and Zuniga and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2013-01 introduced. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE CENTENNIAL SQUARE PROJECT, SOUTHWEST CORNER OF PLAZA DRIVE AND MILLER STREET, ASSESSOR'S PARCEL NUMBER 128-066-003, 6.35 ACRES (FILE NO. GPZ-2012-0002).

CITY MANAGER'S REPORT.
City Manager Haydon reported on items anticipated for the February 19, 2013, City Council Meeting, including Consent Agenda items regarding the continuation of the UVP Extension Phase III, the FPPC ticket policy, the second reading of the Centennial Square Project, and a license agreement with Verizon Wireless; a Public Hearing regarding an appeal of the Planning Commission for the Zaritsky/SA Recycling Center; and Regular Business items regarding the applicants and potential appointment to the City Council, the annual technical amendments to the Municipal Code, the MOU for Local 2020, and possibly a wage and benefit package for the middle managers and public safety managers, and the quarterly budget report. He indicated that he may move a few of the items to the meeting of March 5th as the February 19th agenda was full.

ORAL REPORTS BY COUNCILMEMBERS REGARDING AB1234.
Mayor Patino reported she and the City Manager Haydon attended the League of California Cities New Mayors and Councilmembers Conference in Sacramento regarding the rolls of Councilmembers. She met with Assemblyman Katcho Achadjian and Senator Hannah-Beth Jackson regarding City issues. She also attended the League of California Cities Channel Division dinner.

Councilmember Orach also attended the League of California Cities Channel Division dinner, and the Centennial Kick-Off for the Fire Department.

Councilmember Zuniga reported that she attended both the Fire Fighters and City Employees Awards Recognition dinners. She apologized to Mayor Patino for her comments that she made at the last meeting which seemed harsh. It was not her intention to disrespect her or her position as Mayor.

Councilmember Boysen attended his first CCWA board meeting.

CLOSED SESSION:
The City Council recessed to a Closed Session at 9:25 p.m. to discuss 1) Conference with Labor Negotiator pursuant to Section 54957.6 of the Government Code with Agency Representative: Deputy City Manager and Employee Organizations: Service Employees International Union (SEIU) Local 620; Fire Fighters Union Local 2020; Public Safety Managers; and Non-Represented Management and Confidential Employees; 2) Conference with Legal Counsel—Anticipated Litigation pursuant to Subdivision (c) of Government code Section 54956.9 (one potential case); 3) Conference with Legal Counsel – Existing Litigation pursuant to Subdivision (a) of Government Code Section 54956.9 (three cases): a. *Rob Morris v. City of Santa Maria, et al.,* Case No. DF12-4989-MRW, United States District Court, Central District of California; b. *Rick Prancevic v. Danny Macagni, et al.,* Case No. 2:10-CV-03667-JHN-AGRx, United States District Court, Central District of California; and c. *Daniel Oliveras v. City of Santa Maria,* Case No. 1408069, Superior Court of the County of Santa Barbara.

After the Closed Session, the following report was given:

Conference with Labor Negotiator: A status report was given and direction to staff was provided.

Conference with Legal Counsel – Anticipated Litigation: The City Council gave direction to initiate litigation, and this action [the defendants and other particulars] shall, once formally commenced, be disclosed to any person upon inquiry. (Gov. Code section 54957.1(a)(2)).

Conference with Legal Counsel – Existing Litigation Items 3a, 3b, and 3c: A status report was given for all three cases.

ADJOURNMENT

There being no further business to come before the City Council at this time, Mayor Patino declared the meeting of the City Council adjourned in memory of Raymond Samuel Deutsch at 10:36 p.m.

APPROVED

February 19, 2013
Date

Rhonda M. Garietz, CMC
Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST

Rhonda M. Garietz, CMC
Chief Deputy City Clerk